

**AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING**

DATE..... January 26, 2005
TIME..... 7:00 P.M.
PLACE..... CO. OFFICE BLDG.
20 N. 3RD STREET
LAFAYETTE IN 47901

MEMBERS PRESENT

Ralph Webb
Steve Clevenger
Ed Butz
Jean Hall
Ed Weast

MEMBERS ABSENT

Vicki Pearl
William J. Palmer

STAFF PRESENT

Sallie Fahey
Jay Seeger, Atty.
Bianca Bullock

The Area Board of Zoning Appeals of Tippecanoe County public hearing was held on the 26th day of January 2005, at 7:00 P.M., pursuant to notice given and agenda posted as provided by law.

Attorney Jay Seeger called the meeting to order.

I. ELECTION OF OFFICERS

Ed Butz nominated Jean Hall for President. Ed Weast seconded.

Ed Butz moved that nominations for President be closed. Ed Weast seconded and the motion carried by voice vote.

Ed Butz moved that a unanimous ballot be cast for Jean Hall for President. Ed Weast seconded and the motion carried by voice vote.

Ed Butz nominated Steve Clevenger for Vice President. Ed Weast seconded.

Ed Butz moved that nominations for Vice President be closed. Ed Weast seconded and the motion carried by voice vote.

Ed Butz moved that a unanimous ballot be cast for Steve Clevenger for Vice President. Ed Weast seconded and the motion carried by voice vote.

Ed Butz moved that Jay Seeger be nominated for Secretary. Ed Weast seconded.

Ed Butz moved that nominations for Secretary be closed. Ed Weast seconded.

Ed Butz moved that a unanimous ballot be cast for Jay Seeger for Secretary. Ed Weast seconded and the motion carried by voice vote.

II. MINUTES

Ed Butz moved to approve the minutes of the December 1, 2004 public hearing.

Ed Butz pointed out that he was not present at the meeting and Ed Weast was present.

Steve Clevenger seconded and the motion, with corrections, carried by voice vote.

III. NEW BUSINESS

Sallie Fahey informed the Board that, due to inclement weather, staff has not yet received the soil sample and engineering report regarding **BZA-1669 – SHAWN & STEPHANIE FOSTER**. She added that staff recommends continuance to the February 23, 2005 Area Board of Zoning Appeals public hearing. She also mentioned that **BZA-1680 – CROWN CASTLE SOUTH, LLC**, also needs to be continued to the February 23, 2005 meeting because not all Interested Persons were notified of the hearing.

IV. PUBLIC HEARING

Ed Butz moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Board of Zoning Appeals, the application and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies. Ed Weast seconded and the motion carried by voice vote.

1. **BZA-1669 – SHAWN & STEPHANIE FOSTER:**

Petitioners are seeking a variance to allow a 0' setback from the Flood Plain zone boundary instead of the required 25' to legitimize existing decks, on property located at 6811 Ripple Creek Drive along the South Fork of Wildcat Creek, Perry 20 (NE) 23-3. (UZO 4-4-3(b)). CONTINUED FROM THE DECEMBER MEETING AT THE BOARD'S REQUEST SO THAT PETITIONERS COULD GATHER MORE INFORMATION. WITH CONDITIONS.

Ed Butz moved to hear and vote on the above-described request. Ed Weast seconded.

Ed Butz moved to continued **BZA-1669 – SHAWN & STEPHANIE FOSTER** to the February 23, 2005 Area Board of Zoning Appeals public hearing to give petitioner time to submit the information requested by the Board. Ed Weast seconded and the motion carried by voice vote.

Ed Butz moved to continued **BZA-1680 – CROWN CASTLE SOUTH, LLC**, to the February 23, 2005 Area Board of Zoning Appeals public hearing. Ed Weast seconded and the motion carried by voice vote.

V. ADMINISTRATIVE MATTERS

Sallie Fahey informed the Board that Mark Hermodson has been appointed as the interim Dean of Research in the School of Agriculture at Purdue University and had asked to be replaced. She also mentioned that there are two new members to the Board representing the Area Plan Commission: William J. Palmer and Vicki Pearl.

VI. ADJOURNMENT

Ed Butz moved for adjournment. Ed Weast seconded and the motion carried by voice vote.

The meeting adjourned at 7:15 P.M.

Respectfully submitted,



Bianca Bullock
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director